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Last revised: August 1, 2017

## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

In Re:					Case No.:	17-189	35
LAURIE	ВО	YLE			Judge:	SHERV	WOOD
BRADL	EY E	BOYLE					
		Debtor(s)					
			С	hapter 13 Plan and Mo	tions		
		Original	$\boxtimes$	Modified/Notice Required		Date:	January 15, 2018
		Motions Included		Modified/No Notice Require	d		
			CHAP	BTOR HAS FILED FOR REL TER 13 OF THE BANKRUPT	TCY CODE		
confirma You show or any m plan. You be grante confirm t to avoid confirma modify a	tion I uld re out cla ed withis p or ma tion of lien	nearing on the Plan proposed ead these papers carefully and included in it must file a writted im may be reduced, modified thout further notice or hearing lan, if there are no timely filed bodify a lien, the lien avoidance order alone will avoid or modificated on value of the collater	by the discuence object or motor of the liant or to all	Debtor. This document is the ass them with your attorney. Any ection within the time frame state iminated. This Plan may be confus written objection is filed before tions, without further notice. See odification may take place solely en. The debtor need not file as a reduce the interest rate. An affat the confirmation hearing to present the second confirmation hearing the second confirmation has been second confirmation the second con	actual Plan propositions who wishes to the compact of the compact	ed by the cooppose four right e binding ted in the 3015. If a confir adverse	e Debtor to adjust debts. e any provision of this Plan ts may be affected by this g, and included motions may e Notice. The Court may this plan includes motions irmation process. The plan ary proceeding to avoid or
THIS PL	AN:						
☐ DOE IN PART		DOES NOT CONTAIN NON-	-STAN	DARD PROVISIONS. NON-STA	ANDARD PROVIS	SIONS M	UST ALSO BE SET FORTH
	SUL	T IN A PARTIAL PAYMENT C		OF A SECURED CLAIM BASED PAYMENT AT ALL TO THE SE			•
		DOES NOT AVOID A JUDIO NS SET FORTH IN PART 7, II		IEN OR NONPOSSESSORY, N	ONPURCHASE-N	MONEY S	SECURITY INTEREST.
Initial Deb	otor(s)	' Attorney: /s/ SDS	Initia	I Debtor: /s/ LB	Initial Co-	Debtor: /s	s/ BB

#### Part 1: Payment and Length of Plan

- a. The debtor shall pay \$ 3,000.00 per month to the Chapter 13 Trustee, starting on February 1, 2018 for approximately 52 months.
- b. The debtor shall make plan payments to the Trustee from the following sources:

  - 🗵 Other sources of funding (describe source, amount and date when funds are available):

\$15,000.00 paid in through January 31, 2018;

Assets of CBK Restaurants, LLC are expected to be sold or transferred to creditors in full satisfaction of debts by 2//28/2018. Most unsecured creditors common to both CBK and Debtors are expected to be satisfied from the proceeds of that sale or transfer outside the bankruptcy plan. Any net proceeds shall be paid into the plan;

Assets of Zipload, Inc. d/b/a Salt are expected to be listed for sale by December, 2019. Any unsecured creditors of both Zipload and Debtors are expected to be satisfied from the proceeds of that sale outside the bankruptcy plan. Any net proceeds shall be paid into the plan;

Any unsecured creditors of both Zipload and Debtors and any unsecured creditors of both CBK and Debtors shall also participate in the distribution to general unsecured creditors under this plan pending satisfaction of their claims pursuant to any aforementioned sale.

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c. Use of real property to satisfy plan obligations:
☐ Sale of real property  Description:
Proposed date for completion:
☐ Refinance of real property:  Description:  Proposed date for completion:
<ul> <li>✓ Loan modification with respect to mortgage encumbering property:</li> <li>Description: 57 Sleepy Hollow Rd Andover, NJ</li> <li>Proposed date for completion: 4/11/2018</li> </ul>
d. $\square$ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
e.   Other information that may be important relating to the payment and length of plan:
Part 2: Adequate Protection ⊠ NONE
a. Adequate protection payments will be made in the amount of \$ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to (creditor).
b. Adequate protection payments will be made in the amount of \$ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: (creditor).
Part 3: Priority Claims (Including Administrative Expenses)

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a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:								
Creditor	Type of Priority	Amount to be P	aid					
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWE	D BY STATUTE					
MINION & SHERMAN	ADMINISTRATIVE	+ \$ 2,000.00 Es	ance of original retainer) stimated Supplemental court approval)					
INTERNAL REVENUE SERVICE	TAXES	\$5,117.42 (as p	er POC - Claim #1-1)					
STATE OF NEW JERSEY	TAXES	\$30,609.05 (as	per POC - Claim #4-1)					
STATE OF NEW JERSEY	TAXES	\$45,704.76 (as per POC - Claim #5-1 ** \$22,592.09 will be paid at CBK Sale)						
Check one:  ☑ None  ☐ The allowed priority claims	Check one:  ☑ None  ☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11							
Creditor	Type of Priority	Claim Amount	Amount to be Paid					
Part 4: Secured Claims	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:							
	ining Payments on Principal Pacida	noo:						
a. Curing Default and Maintaining Payments on Principal Residence: 🗌 NONE								

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

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Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Carrington Mortgage (1st Mortgage)	57 Sleepy Hollow Rd Andover, NJ	\$47,137.06 (Claim #15)	N/A	\$47,137.06 (Claim #15)	as per terms of note and mortgage or as may be modified through LMP

#### b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
One West Bank (1st Mortgage)	282 Wax Myrtle Trail Kitty Hawk, NC	\$18,352.76 (Claim #6)	N/A	\$18,352.76 (Claim #6)	as per terms of note and mortgage

#### c. Secured claims excluded from 11 U.S.C. 506: 🛛 NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

#### d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments 🛛 NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

#### e. Surrender MONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffe	cted by the Plan 🗌 NONE						
The following secured of	laims are unaffected by the Plan:						
Wells Fargo Dealer Services (PM 2008 Honda Ridgeline - Claim #7	SI on 2013 Toyota Highlander - Clai )	m #8); Wells Farg	go Dealer S	Services (PMSI on			
g. Secured Claims to be Paid in	Full Through the Plan: 🛛 NONE						
Creditor	Collateral	Collateral		Total Amount to be Paid Through the Plan			
Part 5: Unsecured Claims □	NONE						
<ul> <li>a. Not separately classified allowed non-priority unsecured claims shall be paid:</li> <li>□ Not less than \$ to be distributed pro rata</li> <li>☑ Not less than 100% percent</li> <li>□ Pro Rata distribution from any remaining funds</li> </ul>							
b. Separately classified ur	nsecured claims shall be treated as	follows:					
Creditor	Basis for Separate Classification	Treatment		Amount to be Paid			
Student Loans (Claim #2, 3 & 9)	Non-Dischargeable	as per terms of agreement		as per terms of agreement			
Part 6: Executory Contracts	and Unexpired Leases 🏻 NONE						

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(NOTE: See time property leases in this		forth in 11 U	.S.C. 365(d)(4	) that may	y prevent	assumptio	on of non-resid	ential real
All executory cor the following, which are		xpired lease	s, not previous	ly rejecte	d by oper	ation of la	w, are rejected	l, except
Creditor	Arrears to be Plan		ature of Contra	act or T	reatment	by Debto	r Post-Petit	ion Payment
Part 7: Motions ⊠	NONE							
NOTE: All plans cont form, Notice of Chapt A Certification of Serv Court when the plan a	er 13 Plan Tra vice, Notice of	nsmittal, wi Chapter 13	thin the time a	and in the	e mannei	set forth	in D.N.J. LBF	R 3015-1.
a. Motion to Av	oid Liens Und	er 11. U.S.C	S. Section 522	(f). 🗆 N	IONE			
The Debtor move	es to avoid the	following lier	ns that impair e	exemption	ıs:			
Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Cla	ount of med mption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.   NONE								
The Debto Part 4 above:	or moves to r	eclassify the fo	ollowing claims a	s unsecured and to v	oid liens o	on collate	ral consistent with	
Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral		Total Amount of Lien to be Reclassified	
c. Motion	-	Void Liens a	nd Reclassify U	nderlying Claims as	Partially	Secured	d and Partially	
The Debto		•	-	s partially secured an	nd partially	unsecur	ed, and to void	
Creditor	Collateral	Scheduled Debt	Total Collateral Value			Amount to be Reclassified as Unsecured		
Part 8: Other	Plan Provis	ions						

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Are Schedules I and J being filed simultaneously with this Man amended budget is expected to be filed in the next few weeks)	odified Plan?   Yes   No (although
Part 10: Non-Standard Provision(s): Signatures Required	
Non-Standard Provisions Requiring Separate Signatures:	
⊠ NONE	
☐ Explain here:	
Any non-standard provisions placed elsewhere in this plan are void.	
The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.	
I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.	
Date: 1/16/2018	/s/ Scott D. Sherman Attorney for the Debtor
Date: 1/16/2018	<u>/s/ Laurie Boyle</u> Debtor
Date: 1/16/2018	<u>/s /Bradley Boyle</u> Joint Debtor

Signatures

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The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date: 1/16/2018 /s/ Scott D. Sherman

Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 1/16/2018 /s/ Laurie Boyle

Debtor

Date: 1/16/2018 /s/ Bradley Boyle

Joint Debtor

# Case 17-18935-JKS Doc 47 Filed 01/26/18 Entered 01/27/18 00:31:23 Desc Imaged Certificate of Notice Page 13 of 14 United States Bankruptcy Court District of New Jersey

In re: Laurie S Boyle Bradley E Boyle Debtors Case No. 17-18935-JKS Chapter 13

#### **CERTIFICATE OF NOTICE**

District/off: 0312-2 User: admin Page 1 of 2 Date Rcvd: Jan 24, 2018 Form ID: pdf901 Total Noticed: 39

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 26, 2018.		
db/jdb	+Laurie S Boyle, Bradley E Boyle, 57 Sleepy Hollow Road, Andover, NJ 07821-3327	
cr	+Comerica Bank, Buchanan Ingersoll & Rooney PC, ATTN: Mark Pfeiffer, Esq.,	
	Two Liberty Place, 50 S. 16th Street, Suite 3200, Philadelphia, PA 19102-2555	
cr	+Wells Fargo Bank, N.A., d/b/a Wells Fargo Dealer S, 1451 Thomas Langston Rd., Winterville, NC 28590-8872	
517061432	+BBC RESTAURANT LLC, 60 Canfield Ave., Randolph, NJ 07869-1826	
516802125	+CBK Restaurants LLC, 57 Sleepy Hollow Road, Andover, NJ 07821-3327	
516847617	+CIT Bank, N.A.,, fka OneWest Bank, N.A.,, P.O. Box 9013, Addison, Texas 75001-9013	
517197510	+CIT Bank, N.A., fka OneWest Bank, N.A.,, fka OneWest Bank, FSB, P.O. Box 9013, Addison, Texas 75001-9013	
516802123	+Capital One, Attn: General Correspondence/Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285	
516802124	+Carrington Mortgage Service. Llc, Po Box 3489, Anaheim, CA 92803-3489	
517057308	+Comerica Bank, c/o Mark Pfeiffer, Esq., Buchanan Ingersoll & Rooney PC, 50 S. 16th St., Ste. 3200, Philadelphia, PA 19102-2555	
516802126	+Coray Kirby, 91 Phillips Road, Newton, NJ 07860-5428	
516831043	+HESAA, PO Box 548, Trenton, NJ 08625-0548	
516802131	+Jonathan Davis, Esq., SHAPIRO & INGLE, LLP, 10130 Perimeter Parkway, Suite 400,	
510002151	Charlotte, NC 28216-0034	
516802132	Mark Buday - Investigator, NJ Division of Taxation, Somerville Regional Office, 75 Veterans Memorial Dr. East - Ste 103, Somerville, NJ 08876-2949	
516833517	+NLCLASS, PO Box 548, Trenton, NJ 08625-0548	
516802134	+OneWest Bank Mortgage Servicing, Attn: Bankruptcy Dept, 2900 Esperanza Crossing, Austin, TX 78758-3658	
516802135	+Receivable Management, 240 Emery St, Bethlehem, PA 18015-1980	
516802136	+Remex Inc, 307 Wall St, Princeton, NJ 08540-1515	
516802137	++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245, TRENTON NJ 08646-0245	
	(address filed with court: State of New Jersey, Division of Taxation, 50 Barrack Street,	
	PO Box 269, Trenton, NJ 08695)	
516802139	+State Of Nj Highed Ed, Po Box 543, Trenton, NJ 08625-0543	
516802140	+State Of Nj Student As, Po Box 543, Trenton, NJ 08625-0543	
516913680	US DEPARTMENT OF EDUCATION, CLAIMS FILING UNIT, PO BOX 8973, MADISON, WI 53708-8973	
516802141	+Us Dept Of Ed/Great Lakes Higher Educati, Attn: Bankruptcy, 2401 International Lane,	
F1 F0 F0 00 0	Madison, WI 53704-3121	
517059892	+Wells Fargo Bank N.A., as Trustee, for Carrington, C/O Carrington Mortgage Services, LLC,	
516879530	1600 South Douglass Road, Suite 200-A, Anaheim, California 92806-5948 Wells Fargo Bank N.A., d/b/a Wells Fargo Dealer Se, P.O. BOX 19657, IRVINE, CA 92623-9657	
516871371	Wells Fargo Bank, N.A., d/b/a WFDS, P.O. Box 19657, Irvine, CA 92623-9657	
516802143	+Wells Fargo Dealer Services, Attn: Bankruptcy, Po Box 19657, Irvine, CA 92623-9657	
516802144	+Zipload Inc. d/b/a Salt, 57 Sleepy Hollow Road, Andover, NJ 07821-3327	
_	lectronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.	
smg	E-mail/Text: usanj.njbankr@usdoj.gov Jan 24 2018 23:40:42 U.S. Attorney, 970 Broad St.,	
smg	Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534 +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jan 24 2018 23:40:38 United States Trustee,	
Silig	Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,	
	Newark, NJ 07102-5235	
cr	+E-mail/PDF: gecsedi@recoverycorp.com Jan 24 2018 23:42:54	
	Synchrony Bank c/o PRA Receivables Management, LLC, PO BOX 41021, Norfolk, VA 23541-1021	
516802122	+E-mail/Text: banko@berkscredit.com Jan 24 2018 23:40:16 Berks Credit & Collections,	
	Po Box 329, Temple, PA 19560-0329	
516802127	+E-mail/Text: bankruptcy_notifications@ccsusa.com Jan 24 2018 23:41:31	
516802129	Credit Collections Svc, Po Box 773, Needham, MA 02494-0918 E-mail/Text: cio.bncmail@irs.gov Jan 24 2018 23:40:09 Internal Revenue Service,	
310002129	955 S. Springfield Ave., Springfield, NJ 07081	
516802133	+E-mail/PDF: pa_dc_claims@navient.com Jan 24 2018 23:42:31 Navient, Attn: Claims Dept,	
	Po Box 9500, Wilkes- Barr, PA 18773-9500	
517059546	E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 24 2018 23:43:38	
	Portfolio Recovery Associates, LLC, c/o Capital One Bank, N.a., POB 41067,	
	Norfolk VA 23541	
517059555	E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 24 2018 23:59:34	
	Portfolio Recovery Associates, LLC, c/o Rcs Direct Marketing/Orchard Bank, POB 41067,	
E16004E42	Norfolk VA 23541 +E-mail/PDF: gecsedi@recoverycorp.com Jan 24 2018 23:42:54 Synchrony Bank,	
516804543	+E-mail/PDF: gecsedi@recoverycorp.com Jan 24 2018 23:42:54 Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021	
516802142	+E-mail/Text: collect@williamsalexander.com Jan 24 2018 23:40:21 Waassociates, Po Box 2148,	
	Wayne, NJ 07474-2148	
	TOTAL: 11	

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Form ID: pdf901 Total Noticed: 39 \*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\* \*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\* 517061433 BBG RESTAURANT LLC 517077899 TWO JERSEY BOYS REAL ESTATE HOLDING LLC Coray Kirby, 91 Phillips Road, Newton, NJ 07860-5428 Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346 cr\* Internal Revenue Service, 516802130\* 516802138\* ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245. TRENTON NJ 08646-0245 (address filed with court: State of New Jersey, Division of Taxation, ABC Licensing, PO Box 245, Trenton, NJ 08695-0245) ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245, TRENTON NJ 08646-0245 516839126\* (address filed with court: State of New Jersey, Division of Taxation, Bankruptcy Section, PO Box 245, Trenton, NJ 08695-0245) 7700 W Parmer Ln, Bldg D 2nd Floor, Austin, TX 78729-8103 516802128 ##+Indvmac Bank, TOTALS: 2, \* 4, ## 1 Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

User: admin

District/off: 0312-2

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 26, 2018 Signature: /s/Joseph Speetjens

#### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)

system on January 22, 2018 at the address(es) listed below:

Charles G. Wohlrab on behalf of Creditor WELLS FARGO BANK N.A., AS TRUSTEE, FOR CARRINGTON MORTGAGE LOAN TRUST, SERIES 2006-NC5 ASSET-BACKED PASS-THROUGH CERTIFICATES cwohlrab@logs.com, njbankruptcynotifications@logs.com

Denise E. Carlon on behalf of Creditor CIT Bank, N.A., fka One West Bank, N.A., fka One West Bank, FSB dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Jill Manzo on behalf of Creditor TWO JERSEY BOYS REAL ESTATE HOLDING LLC bankruptcy@feinsuch.com

John R. Morton, Jr. on behalf of Creditor Wells Fargo Bank, N.A., d/b/a Wells Fargo Dealer Services ecfmail@mortoncraig.com, mortoncraigecf@gmail.com

JESSICA SMITH bankruptcy@feinsuch.com

Jonathan C. Schwalb on behalf of Creditor
Jonathan C. Schwalb on behalf of Creditor BBG RESTAURANT, LLC, and TWO JERSEY BOYS REAL

ESTATE HOLDING, LLC bankruptcy@feinsuch.com Marie-Ann Greenberg magecf@magtrustee.com

Mark D. Pfeiffer on behalf of Creditor Comerica Bank mark.pfeiffer@bipc.com,

donna.curcio@bipc.com

Michael L. Wojcik on behalf of Creditor Coray Kirby mlwojcik@embarqmail.com

Scott D. Sherman on behalf of Joint Debtor Bradley E Boyle ssherman@minionsherman.com U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 12

Date Royd: Jan 24, 2018